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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/038,060	01/04/2002	Andrew Koff	14538A-005111US	5760
20350	7590	03/07/2005	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			LIETO, LOUIS D	
			ART UNIT	PAPER NUMBER
			1632	

DATE MAILED: 03/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT PAPER

20050223

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Commissioner for Patents

Receipt is acknowledged of a request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e) and a submission, filed on 1/31/2005. The submission, however, is not fully responsive to the prior Office action because the claims have been amended so that they no longer read on the subject matter of the originally filed invention..

Newly amended claim 1 and dependent claims 2-11 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: The originally presented invention was a recombinant non-human animal lacking the cyclin-dependent kinase inhibitor function of p27^{Kip1}.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 1-11 must be withdrawn or amended so that they no longer are directed to an invention that is independent or distinct from the invention originally claimed. See 37 CFR 1.142(b) and MPEP § 821.03.

Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period for reply supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to (571) 272-0547. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Lou Lieto whose telephone number is (571) 272-2932. The examiner can normally be reached on Monday-Friday, 9am-5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Ram Shukla can be reached on (571) 272-0735. The fax phone number for the organization where this application or proceeding is assigned is (571)-272-0735. For all other customer support, please call the USPTO Call Center (UCC) at 800-786-9199.

Dr. Louis D. Lieto
Patent Examiner
Art Unit 1632

RAM R. SHUKLA, PH.D.
SUPERVISORY PATENT EXAMINER